

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 7/17/08

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RODNEY JOSEPH,

Plaintiff,

-against-

BRIAN FISCHER, et al.,

Defendants.
----- x

:
: 08 Civ. 2824 (PKC) (AJP)

:
: RULE 16 INITIAL PRETRIAL
: CONFERENCE ORDER

ANDREW J. PECK, United States Magistrate Judge:

Based on the Initial Pretrial Conference pursuant to Rule 16, Fed. R. Civ. P., held on July 17, 2008 before Magistrate Judge Andrew J. Peck, IT IS HEREBY ORDERED THAT:

1. Defendants' time to respond to the complaint is extended to August 18, 2008.
2. All fact and expert discovery must be completed by September 15, 2008.
3. Each party will notify this Court (and the District Judge) by September 18, 2008 as to whether it intends to move for summary judgment and, if required by the District Judge's chamber rules, request a pre-motion conference. Assuming pre-motion clearance has been obtained from the District Judge where required, summary judgment motions must be filed by October 17, 2008 if no date was set by the District Judge or, if a date was set by the District Judge, in accordance with the schedule set by the District Judge, and must comply with the Federal Rules of Civil Procedure, the Local Rules of this Court, and the chamber rules

of the District Judge to whom this case is assigned (including any pre-motion conference requirements of the District Judge).

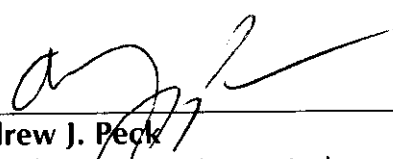
4. The parties are to submit a joint proposed pretrial order, in conformance with the Federal Rules of Civil Procedure, the Local Rules of this Court, and the chamber rules of the District Judge to whom this case is assigned, by October 17, 2008 if neither party is moving for summary judgment, or 30 days after decision on the summary judgment motion. The case will be considered trial ready on 24-hours notice after the pretrial order has been submitted.

5. A status conference will be held before the undersigned on September 3, 2008 at 9:30 a.m. in Courtroom 20D (500 Pearl Street).

6. The parties are directed to follow the "Individual Practices of Magistrate Judge Andrew J. Peck," a copy of which was previously provided.

SO ORDERED.

DATED: New York, New York
July 17, 2008



Andrew J. Peck
United States Magistrate Judge

Copies to: Rodney Joseph (Mail)
Neil Shevlin, Esq. (Fax)
Judge P. Kevin Castel